

Remarks

Claims 1-5, 7 are presently pending. Claims 1-7 have been rejected. Claims 2 and 6 have been objected to.

The Examiner has objected to claims 2 and 6 because of informalities. The Examiner states that it is unclear whether the vertical support structure is intended to be a positive limitation of the claims. The Examiner notes that appropriate correction is required.

Claim 2 has been amended to delete the phrase "the inner surfaces face the vertical support structure". In addition, claim 6 has been cancelled. It is now clear from claims 2 and 6 that the vertical support structure is not a positively claimed limitation.

Reconsideration and withdrawal of the objections are respectfully requested. Please remove the objections to claims 2 and 6 and enter the allowance thereof.

The Examiner has rejected claims 1-6 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,657,563 to Lane ("Lane"). The Examiner supports the rejection with descriptions of relevant teachings of the reference and corresponding conclusions.

This rejection is respectfully traversed for the reasons set forth in detail below.

A rejection of a claim under 35 U.S.C. § 102(b) must anticipate each and every element of the claim in order for it to be proper. Lane fails to disclose every limitation of the claimed mounting frame and mirror assembly. Specifically, Lane does not teach a mounting frame and mirror assembly comprising a mounting frame having a substantially rectangular wall flange, as recited in claim 1. The component of the display device 10 of Lane cited by the Examiner as a wall flange does not function as such. Instead, reference numeral 22 indicates a backing plate that encloses the light producing facility 18 and regulates access thereto:

The picture frame 12 also includes a backing plate 22, to retain the light producing facility 18 therein.

A plurality of mounting screws 24 are for holding the backing plate 22 thereto in a removable manner. This allows a person to gain access to the light producing facility 18 to repair and replace the light producing facility 18 when needed.

(col. 2, lines 20-27; Figures 1-3) The backing plate 22 of Lane thus serves very different purposes than the wall flange of the present invention, which principally serves as a decorative outer boundary for the assembly and a vehicle for mounting the assembly on a vertical support structure such as a wall. (page 11, lines 17-23; Figures 1, 5 and 6)

Furthermore, the placement of the backing plate 22 described in Lane effectively precludes it from being a flange according to the well-accepted meaning of that term. As depicted in Figures 1-3, the backing plate 22 is substantially coextensive with the picture 16. Unlike a flange, the backing plate 22 does not overhang or extend from the walls of the frame 12. This configuration is in sharp contrast with the positioning of the wall flange relative to the four frame walls and the mirror flange defined in claim 1.

The failure of Lane to provide a wall flange can be understood in the broader context of its invention. Lane discloses a display device 10 that operates differently from the claimed mounting frame and mirror assembly. The display device 10 is a freestanding unit complete with a light producing facility 18, a stand 42, a power source 46, an auxiliary light source 70 and a silent alarm 74. Once electrical power has been supplied to it by the battery 52 or the cord 64, the device 10 either serves as a mirror or projects an image of the picture 16. On the other hand, the present invention is used with a wall-mounted flat panel display of a unit such as a television set. Thus, the mounting frame and mirror assembly of claim 1 must have a wall flange in order to surround the flat panel display in a visually appealing manner. Such a requirement is inapplicable to the device 10 of Lane, which has the

different objective of presenting a picture 16 such as a photograph 28, a painting 30 or a drawing 32 on a horizontal support structure such as a shelf or a table. Claims 2-5 depend directly or indirectly from claim 1 and thus contain all of its limitations. Consequently, claims 1-5 are patentably distinct from the cited reference.

Reconsideration and withdrawal of the rejection are respectfully requested. Please remove the rejection of claims 1-6 under 35 U.S.C. § 102(b), and enter the allowance of claims 1-5.

The Examiner has rejected claim 7 under 35 U.S.C. § 103(a) as being unpatentable over Lane as applied to claims 1-6, in view of U.S. Patent No. 3,851,415 to Vihma ("Vihma"). The Examiner supports the rejection with descriptions of relevant teachings of the references and corresponding conclusions.

This rejection is respectfully but strenuously traversed for the reasons set forth in detail below.

In general, three basic criteria must be satisfied in order to establish a prima facie case of obviousness (M.P.E.P. § 706.02(j)). First, the reference or combination of references must teach or suggest all of the claim limitations. Second, there must be a reasonable expectation

of success. Third, there must be some suggestion or motivation, either in the references or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings.

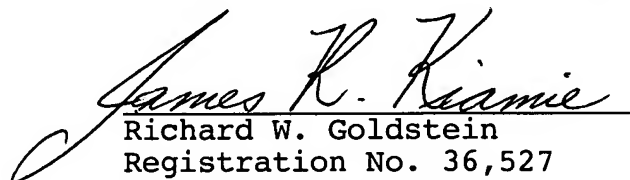
The rejection fails to satisfy the third criterion of a prima facie showing of obviousness. As discussed previously, Lane provides an internally lit device 10 for selectively displaying a picture 16 on a horizontal support surface. Vihma teaches a basic picture frame 10 that can be assembled without skilled labor or the use of a jig. In contrast, the claimed mounting frame and mirror assembly surrounds a wall-mounted flat panel display of a unit such as a television set, projects images via a one-way mirror when the display is turned on, and serves as a decorative mirror when the display is turned off. Neither Lane nor Vihma suggests that the display device or the picture frame, respectively, can be utilized in the context of the present invention. Thus, the objectives of Lane and Vihma vary significantly from those of the mounting frame and mirror assembly of claim 1. The display device of Lane and the picture frame of Vihma cannot achieve the goals, or perform the tasks, of the claimed invention. Consequently, one of ordinary skill in the art would have no basis upon which to modify the disclosures of Lane and Vihma in the manner relied upon by the Examiner. Claim 7 depends indirectly from claim

1 and thus contains all of its limitations. Hence, claim 7 is patentable over the cited combination of references.

Reconsideration and withdrawal of the rejection are respectfully requested. Please remove the rejection of claim 7 under 35 U.S.C. § 103(a), and enter the allowance thereof.

In view of the foregoing amendments and remarks, reconsideration and allowance of the pending claims are respectfully solicited. Please remove the objections to claims 2 and 6, the rejection of claims 1-6 under 35 U.S.C. § 102(b) and the rejection of claim 7 under 35 U.S.C. § 103(a), and enter the allowance of claims 1-5, 7. The Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted, *Reg. No. 53,120*

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